

**REMARKS/ARGUMENTS**

In view of the amendments made to the claims, and in view of the following remarks, reconsideration of the application is respectfully requested.

**1. Interview**

Initially, the Examiner is thanked for the courtesies extended during the interview of August 4, 2004. During the interview, claims 21-29 and 32-37 were discussed in relation to the applied prior art of Johri et al. (U.S. Patent No. 4,918,653) and Rivest et al. (U.S. Patent No. 4,405,829).

With specific reference to claims 29 and 32-37, the Examiner explained that, in his interpretation, unless process claim limitations specifically recite a sequence in which the process limitations must be completed, the claim may be interpreted as though the process limitations occur in any order. Further, the Examiner has indicated that a “trusted command” may be in the form of a signal created by the pressing of a secure attention key such that the signal is communicated in a trusted environment. Applicant inquired that, if claim 29 were to be amended such that the step of “executing a trusted command in a trusted mode” was required to be after the verifying step, whether the claim would be allowable. Although the Examiner seemed to indicate that such an amendment may be favorably reviewed, he respectfully declined to make such a finding of record during the interview.

As for claims 21-28, the Examiner indicated that he interprets the “trusted command” in the form of a clear text password that is encrypted in a trusted environment and outputted to a log-in creating a “trusted environment”. The Examiner’s interpretation does not require the trusted shell described in the Johri et al. patent, rather merely a log-on step could create a trusted environment. Also, the Examiner explained that, according to his position, Rivest et al. teaches “encrypting with a key that cannot be used to decrypt to motivate encrypting a password in the

form of a ‘trusted command’ in an untrusted environment with a key that cannot be used to decrypt a message protects the encrypted password that it is compared with in the untrusted environment from being decrypted by that key”.

## **2. Amendments**

By the present amendment, claim 21 has been amended to specify that a “trusted command” is one which can only be executed in a trusted environment. Additionally, the claim has been amended to specify that the trusted command recited later in the claim is the same as that which is parsed in the untrusted environment. In a similar manner, claim 26 has been amended to indicate that a “trusted command” is one that can only be executable in a trusted mode. Additionally, the sequence of the three method steps has been positively recited as occurring one after another as opposed to being in any order. Finally, claim 29 has been amended to both address the Examiner’s §112, second paragraph rejection and additionally to clarify that the “executing the trusted command in a trusted mode” step is conducted after the verifying step.

## **3. Priority/Drawings**

Applicant notes with appreciation that the Examiner has acknowledged priority and approved the drawings.

## **4. Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 29 and 32-37 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant requires of the invention. Specifically, the Examiner has indicated that claim 32 recites the limitation of “the communication step” in line 5. The Examiner has suggested language which will overcome this rejection. Applicant appreciates the suggestion. Also, Applicant notes that the

Examiner was most likely referring to claim 29 in his suggestion and therefore, by the present amendment, claim 29 has been amended so that the communication step is before the verifying step. In addition, both the communicating step and the verifying steps are now before the step of executing the trust command in a trusted mode. By the present amendment, Applicant has reorganized the steps of the method so that they provide proper antecedent basis and more accurately define the invention.

**5. Rejections Under 35 U.S.C. § 102(b) of claims 29 and 32-37**

Claims 29 and 32-37 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Johri et al. (U.S. Patent No. 4,918,653).

In the outstanding rejection, the Examiner has relied on the patent disclosure in column 27, lines 3-6 and Figure 13, of depressing a secure attention key. As disclosed in column 22, lines 16-20, this causes the line discipline driver to send a SIGSAK signal to all processes running on the terminal to terminate. What really happens here is that the SIGSAK signal is the signal that causes the transition from an untrusted mode to a trusted mode. Even if this command is interpreted as in an untrusted mode and executed in a trusted mode, it most certainly is not executed in a trusted mode after a verifying step. According to the Examiner's own rejection, verifying the trusted command in the trusted mode after the communication step is done by detecting the trusted shell by reading a corresponding entry. Essentially, the prior art here is verifying whether or not the trusted command was executed. By contrast, in the current invention, the step of verifying of the trusted command functions to verify whether or not the trusted command should be executed some time in the future. Therefore, Applicant respectfully submits that claim 29 should be allowed.

In regard to claim 32, and more specifically in regard to the language "requesting confirmation of the trusted command in the trusted mode", the Examiner refers to column 22, lines 53-55 and implies this occurs when the user requests to exit

the trusted shell. As stated above, the trusted command according to the Examiner was pressing the secure attention key which is simply creating a trusted shell. The trusted command in claim 32 is the same as that in claim 29. Further, as stated above, the executing of a trusted command step in the amended claim now occurs after the verifying step and therefore, since the prior art does not disclose a corresponding verifying step, claim 32 is independently patentable. Claims 33-35 should all be considered allowable by virtue of their dependency on claim 29. Claim 36 should be considered independently patentable as “the message” is now claimed as being issued to a user, indicating a transition to the untrusted mode before the transitioning step. In the prior art, when a user presses the secure attention key, no message is sent to the user and indeed an untrusted mode is not achieved by pressing the secure attention key.

**6. Rejections Under 35 U.S.C. §103(a) of claims 21-28**

Claims 21-28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Johri et al. (U.S. Patent No. 4,918,653) in view of Rivest et al. (U.S. Patent No. 4,405,829).

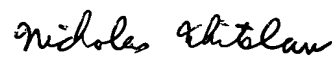
As mentioned above, claims 21 and 26 have been amended to include the that a “trusted command” is one which must be executed either in a trusted environment, as per claim 21, or in a trusted mode, as per claim 26. The Examiner, in the rejection, has stated that the untrusted environment encrypts a trusted command to be compared with encrypted passwords on a list. Essentially, the Examiner is referring to the log-on process which can occur either in an untrusted environment or a trusted environment. The claim has been amended to indicate that parsing the trusted command and receiving the trusted command refer to the same trusted command. Further, a trusted command is one that can only be executed in a trusted environment or in a trusted mode. Therefore, it is not reasonable to read the concept of comparing encrypted passwords on a list in an untrusted environment on the amended claims because, by definition, trusted commands can only be executed in the trusted

environment. Further, it is unreasonable to read the processing of a password in a trusted environment on the amended claim because the password is not the same password as that parsed in the untrusted environment.

With regard to claims 22-25 and 27-28, they depend either directly or indirectly from claims 21 and 26, respectively, and therefore should be considered allowable by virtue of their dependency. Also, dependent claims 22-25 and 27-28 include additional limitations that are seen to be independently patentable. For example, the limitations regarding the trusted environment executing a trusted command if the trusted environment detects confirmation of the trusted command as recited in claims 22 and 27 are not seen in the prior art. The limitation of displaying a representation of the trusted command to a user as in amended claim 28 also does not appear in the prior art.

For the foregoing reasons, and the amendments to the claims, it is respectfully requested that this amendment be entered, all the claims be allowed and the application expeditiously passed to issue. If the Examiner should have any questions concerning the allowance of this application, he is cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution.

Respectfully submitted,



Nicholas S. Whitelaw  
Attorney for Applicant  
Registration No. 36,418

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**DIEDERIKS & WHITELOW, PLC**  
12471 Dillingham Square, #301  
Woodbridge, VA 22192  
Tel: (703) 583-8300  
Fax: (703) 583-8301